

## PROPOSED DEVELOPMENT CONDITIONS

### SEA 84-P-129-04

September 22, 2016

If it is the intent of the Board of Supervisors to approve SEA 84-P-129-04 for additions to a medical care facility and related site modifications located at Tax Map 45-4 ((1)) 6B, pursuant to Sect. 3-504 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede all previous conditions (those conditions carried forward from previous approvals are marked with an asterisk\*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception Amendment (SEA) is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SEA Plat approved with the application, as qualified by these development conditions.\*
3. This Special Exception Amendment is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this SEA shall be in substantial conformance with the approved SEA Plat titled "Arden Courts-Fair Oaks of Fairfax VA, LLC, Proffered Condition Amendment, Special Exception Amendment Application," prepared by VIKA Virginia, LLC and consisting of fifteen sheets dated November 13, 2015, as revised through August 4, 2016, and these conditions. Any plan for completion of Phase IV for the skilled nursing facility shall be in substantial conformance with the approved SEA Plat titled "Manor Care Fair Oaks" approved with SEA 84-P-129-03 on October 7, 2002. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. There shall be a maximum of 25 employees per shift and a maximum of 64 residents at the Arden Courts assisted living facility. The number of employees may be increased if the minimum parking requirements for a medical care facility in Article 11 of the Zoning Ordinance are met, and subject to approval of a parking tabulation by DPWES. All parking shall be in conformance with Article 11 of the Zoning Ordinance and the Public Facilities Manual.
5. The Applicant shall maintain at least 4 percent of the Arden Courts assisted living facility beds for residents who are eligible for the Virginia Department for Aging and Rehabilitative Services' Auxiliary Grant Program.
6. The maximum building height shall not exceed 50 feet.\*

7. The Applicant shall install stormwater management facilities in substantial conformance with the SEA Plat and in accordance with the Fairfax County Stormwater Management Ordinance and the Public Facilities Manual. At the time of site plan review, the Applicant may substitute alternative stormwater quality control facilities, including the purchase of off-site nutrient credits, subject to review and approval by DPWES.
8. The Applicant shall provide landscaping, including trees and shrubs, in substantial conformance with the SEA Plat. The exact number, species, location and spacing of trees and other plant material shall be determined at the time of site plan review and shall be subject to review and approval of the Urban Forest Management Division (UFMD), DPWES. In addition, if the site plan includes the use of soil amendments for stormwater quality control (BMP) purposes, the species and/or location(s) of proposed plantings shall be revised, if necessary, as determined by UFMD.
9. Landscape Planting Pre-installation Meeting: Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer shall coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan shall be reviewed and must be approved by UFMD staff prior to planting.
10. Prior to site plan approval for additional skilled nursing beds, the Applicant shall demonstrate that a Certificate of Public Need has been issued by the State Health Systems Agency and provided to the DPWES.\*
11. The architectural design of the proposed facility shall generally conform to the character and quality of the illustrative elevations included in the SEA Plat.
12. The Applicant shall post in conspicuous places in both the skilled nursing and assisted living facilities reminders to the employees and visitors to not park on the service drive along Route 50. Evidence of the postings shall be provided prior to site plan approval.
13. The Applicant shall identify on the site plan the location for one or more potential "no parking" signs along the Application Property's frontage on the service drive. The sign(s) shall be installed by the Applicant prior to issuance of a Non-RUP, subject to the approval of the Virginia Department of Transportation.

This approval, contingent on the above noted conditions, shall not relieve the Applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

The Applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use, which for this purpose shall be deemed as the eight additional beds for the assisted living facility, has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.